

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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DANIEL MILLER; and all others who are  
similarly situated,

Plaintiff(s),

-against-

ORDER ADOPTING REPORT &  
RECOMMENDATION  
07-CV-1719(JS) (WDW)

WILLIAM ZERILLO, WARDEN QUEENS  
PRIVATE DETENTION FACILITY;  
GEO GROUP, INC., AS OWNER AND OPERATOR  
OF THE QUEENS PRIVATE DETENTION  
FACILITY; JOHN DOE #1, PRESIDENT, GEO  
GROUP, INC.; JOHN DOE #2, EASTERN  
REGIONAL DIRECTOR OF OPERATIONS, GEO  
GROUP, INC.; and GARY MEAN, DIRECTOR  
CONTRACT FACILITIES, UNITED STATES  
MARSHAL'S SERVICE,

Defendants.

-----X  
APPEARANCES:

For Plaintiff: Daniel Miller, Pro Se  
207 West Broadway  
Inwood, New York 11096

For Defendants: John Joseph McCarthy, III, Esq.  
McCarthy Law Firm, PLLC  
1120 Avenue of the Americas  
Suite 4006  
New York, New York 10036

SEYBERT, District Judge:

Upon review of the Report and Recommendation ("Report")  
of Magistrate Judge William D. Wall, issued November 2, 2007, to  
which no party has objected, the Court hereby ADOPTS the Report in  
its entirety.

Pursuant to Rule 72 of the Federal Rule of Civil  
Procedure any objections to the Report were to be filed with the

Clerk of the Court within ten days of service of the Report. The time for filing objections has expired and no Party has objected. Accordingly, all objections are hereby deemed to have been waived.

The Court ADOPTS the Report in its entirety and DENIES without prejudice Plaintiff's motion to certify a class, and DENIES Plaintiff's motion for a preliminary injunction.

SO ORDERED

*/s/* JOANNA SEYBERT  
*Joanna Seybert*  
Joanna Seybert, J.S.D.J.

Dated: Central Islip, New York  
February 6, 2008